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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SU/30 (08-03)

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  <b>Address to:</b> Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/309,128
	Filing Date	May 10, 1999
	First Named Inventor	Gayle Marie Frankenhach, et al.
	Group Art Unit	1751
	Examiner Name	John R. Hardee
	Attorney Docket Number	7258XR
	Confirmation Number	7129

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☐ Other \_\_\_\_\_
  - Enclosed
    - ☒ Amendment/Reply
    - ☐ Affidavit(s)/Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☐ Other \_\_\_\_\_
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
 

☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **16-2480**.

  - ☒ RCE fee required under 37 C.F.R. § 1.17(e)
  - ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - ☐ Suspension of action fee under 37 C.F.R. 1.17(i)
  - ☐ Other \_\_\_\_\_

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME (Print/Type)	David V. Upite	Reg. No. (Attorney) 47,147
SIGNATURE	<i>David V. Upite</i>	DATE May 27, 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

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NAME (Print/Type)	David V. Upite	
SIGNATURE	<i>David V. Upite</i>	DATE May 27, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send Fees and Completed forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED		
NAME (Print/Type)	David V. Upton	Reg. No. (Attorney) 47,147
SIGNATURE	<i>David V. Upton</i>	DATE May 27, 2004
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